

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

PARAGON SYSTEMS, INC.

and

Case 20-CA-128537

UNITED GOVERNMENT SECURITY  
OFFICERS OF AMERICA, LOCAL 223

**DECISION AND ORDER**

**Statement of the Case**

On August 13, 2014, Paragon Systems, Inc. (the Respondent), United Government Security Officers of America, Local 223 (the Union), and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to the Board's approval, providing for the entry of a consent order by the Board and a consent judgment by any appropriate United States Court of Appeals. The parties waived all further and other proceedings before the Board to which they may be entitled under the National Labor Relations Act, as amended, and the Board's Rules and Regulations, and the Respondent waived its right to contest the entry of a consent judgment or to receive further notice of the application therefor.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following:

**Findings of Fact**

1. The Employer's business

At all material times, the Respondent, an Alabama corporation with its principal office located in Herndon, Virginia and facilities located in the State of California, has been engaged in the business of providing security and guard services to the United States Government.

During the 12-month period ending December 31, 2013, the Respondent, in conducting its business operations described above, performed services valued in excess of \$50,000 directly to customers located outside the State of California.

The Respondent is now, and has been at all material times, an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

## 2. The labor organization involved

At all material times, the Union has been an organization in which employees participate, and which exists, in whole or in part, for the purpose of representing employees in dealings with persons and employers regarding grievances, labor disputes and collective-bargaining with respect to employee wages, hours, and working conditions.

At all material times, the Union has been a labor organization within the meaning of Section 2(5) of the Act.

## **ORDER**

Based on the above findings of fact, the Formal Settlement Stipulation, and the entire record, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board orders that the Respondent, Paragon Systems, Inc., Herndon, Virginia, and various locations in the State of California, its officers, agents, successors, and assigns, shall

### 1. Cease and desist from

(a) Refusing to bargain in good faith with United Government Security Officers of America, Local 223 (the Union), as the exclusive collective-bargaining representative of its employees in the following appropriate unit (the unit):

All Security Officers (Guards) as defined by Section 9(b)(3) of the National Labor Relations Act, as amended, employed by Respondent under the Department of Homeland Security or successor agency contract or any successor contracts, covering the Sacramento, California and surrounding areas, including the cities listed below and the counties of Mendocino, Sutter, Alpine, Amador, Nevada, Sierra, Tehama, Modoc, Siskiyou, Trinity, Sacramento, San Joaquin, Placer, Shasta, El Dorado, Calaveras, Butte, Stanislaus, Lassen, Lake, Yolo, Humboldt, Napa, Solano, Sonoma, and Del Norte, excluding all office clerical employees, professional employees, employees not physically working on the Government sites, employees enrolled or participating in pre-assignment training programs offered by Respondent, and supervisors as defined by the Act. Also, all full-time and regular part-time security officers, guards, security police officers, and sergeants employed by Respondent working inside and outside of Federal

Buildings located in the cities of Auburn, Carmichael, Chico, Citrus Heights, Crescent City, Eureka, Lodi, Manteca, Modesto, Oroville, Placerville, Redding, Roseville, Sacramento, Stockton, Ukiah, Yreka, Yuba City, and Folsom Dam in Folsom, California; excluding all office employees, clerical employees, secretaries, Captains, Lieutenants, Management Personnel, and supervisors as defined by the Act.

(b) Delaying in providing the Union with information it requests that is relevant and necessary to its role as the collective-bargaining representative of the unit.

(c) In any like or related manner interfering with, restraining or coercing employees in the exercise of their Section 7 rights.

2. Take the following affirmative action necessary to effectuate the policies of the Act.

(a) Upon the Union's request, bargain in good faith with the Union as the exclusive collective-bargaining representative of the unit employees.

(b) Within 14 days of service by the Region, post in prominent places around its Sacramento Office located at 3111 Fite Circle, Sacramento, CA 95827, and any Federal facilities where its unit employees work, if possible, copies of the attached Notice marked Appendix. Copies of the Notice, on forms provided by Region 20, after being signed by the Respondent's authorized representative, shall be posted for a period of 60 days, in conspicuous places, including all places where it normally posts notices to employees, and shall be emailed to all unit employees. The Respondent shall take reasonable steps to ensure that the Notices are not altered, defaced or covered by any other material.

(c) Within 21 days of the issuance of the Board's Order, file with the Regional Director for Region 20 of the Board, a sworn affidavit from a responsible official describing with specificity the manner in which the Respondent has complied with the terms of the Board's Order, including the locations of the posted documents.

Dated, Washington, D.C., October 16, 2014.

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Kent Y. Hirozawa, Member

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Harry I. Johnson, III, Member

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Nancy Schiffer, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

## APPENDIX

### **NOTICE TO EMPLOYEES**

Posted by Order of the  
National Labor Relations Board  
An Agency of the United States Government

PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER AND A  
CONSENT JUDGMENT OF ANY APPROPRIATE UNITED STATES COURT OF  
APPEALS

### **FEDERAL LAW GIVES YOU THE RIGHT TO:**

Section 7 of the National Labor Relations Act gives you as employees these rights:

Form, join, or assist a union;  
Choose representatives to bargain with us on your behalf;  
Act together with other employees for your benefit and protection;  
Choose not to engage in any of these protected activities.

**WE WILL NOT** do anything to prevent you from exercising the above rights.

**UNITED GOVERNMENT SECURITY OFFICERS OF AMERICA, LOCAL 223** is the employees' representative in dealing with us regarding wages, hours and other working conditions of the employees in the following unit:

All Security Officers (Guards) as defined by Section 9(b)(3) of the National Labor Relations Act, as amended, employed by Respondent under the Department of Homeland Security or successor agency contract or any successor contracts, covering the Sacramento, California and surrounding areas, including the cities listed below and the counties of Mendocino, Sutter, Alpine, Amador, Nevada, Sierra, Tehama, Modoc, Siskiyou, Trinity, Sacramento, San Joaquin, Placer, Shasta, El Dorado, Calaveras, Butte, Stanislaus, Lassen, Lake, Yolo, Humboldt, Napa, Solano, Sonoma, and Del Norte, excluding all office clerical employees, professional employees, employees not physically working on the Government sites, employees enrolled or participating in pre-assignment training programs offered by Respondent, and supervisors as defined by the Act. Also, all full-time and regular part-time security officers, guards, security police officers, and sergeants employed by Respondent working inside and outside of Federal Buildings located in the cities of Auburn, Carmichael, Chico, Citrus Heights, Crescent City, Eureka, Lodi, Manteca, Modesto, Oroville, Placerville, Redding, Roseville, Sacramento, Stockton, Ukiah, Yreka, Yuba City, and Folsom Dam in Folsom, California; excluding all office

employees, clerical employees, secretaries, Captains, Lieutenants, Management Personnel, and supervisors as defined by the Act.

**WE WILL NOT** unreasonably delay in providing the Union with information that is relevant and necessary to its role as your bargaining representative.

**WE HAVE** provided the Union with the information it requested on January 15, 2014.

**WE HAVE** provided the Union with the information it requested on February 24, 2014.

**WE HAVE** provided the Union with the information it requested on March 17, 2014.

**WE WILL NOT** in any like or related manner interfere with your rights under Section 7 of the Act.

**WE WILL**, upon the Union's request, bargain in good faith with the Union as the exclusive collective-bargaining representative of the unit employees.

PARAGON SYSTEMS, INC.  
(Employer)

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
(Representative) (Title)

The Board's decision can be found at [www.nlr.gov/case/20-CA-128537](http://www.nlr.gov/case/20-CA-128537) or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570, or by calling (202) 273-1940.

